

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID N. HART,)	
)	No. CV-12-402-JPH
Plaintiff,)	
)	ORDER GRANTING STIPULATED
v.)	MOTION FOR REMAND
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

BEFORE THE COURT is the parties' stipulated motion to remand this case to the Commissioner for further administrative proceedings. **ECF No. 24.** Maureen Rosette represents plaintiff. Special Assistant United States Attorney Jordan D. Goddard represents defendant. The parties have consented to proceed before a magistrate judge. ECF No. 17.

After considering the stipulated motion, ECF No. 24, **IT IS ORDERED** that the **motion is GRANTED. The decision with respect to** both Title II and Title XVI of the Social Security Act **is REVERSED and REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings, including:

1. The ALJ will properly evaluate Plaintiff's credibility and subjective complaints in accordance with Social Security Ruling 96-7p and, if discounting the statements, provide clear and convincing reasons for doing so;

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3. The ALJ will obtain vocational expert testimony to assist in determining what impact, if any, the claimant's limitations would have on his ability to perform work-related activities.

IT IS FURTHER ORDERED:

1. The parties' stipulated motion for an order of remand pursuant to sentence four, ECF No. 24, is **GRANTED**.

2. Judgment shall be entered for **PLAINTIFF**.

3. An application for attorney fees and costs may be filed by separate motion.

4. The District Court Executive is directed to enter this Order, enter judgment, forward copies to counsel, and **CLOSE** the file.

IT IS SO ORDERED.

DATED this 5th day of February, 2013.

s/James P. Hutton
JAMES P. HUTTON
UNITED STATES MAGISTRATE JUDGE